



POLICE DEPARTMENT

October 29, 2019

-----X
In the Matter of the Charges and Specifications :
- against - :
Police Officer Christine Glaser :
Tax Registry No. 954870 :
106 Precinct :
-----X

Case No.

2018-19122

At: Police Headquarters
One Police Plaza
New York, NY 10038

Before: Honorable Jeff S. Adler
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Javier Seymore, Esq.
Department Advocate's Office
One Police Plaza
New York, NY 10038

For the Respondent: Michael Martinez, Esq.
Worth, Longworth & London, LLP
111 John Street, Suite 640
New York, NY 10038

To:

HONORABLE JAMES P. O'NEILL
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NEW YORK 10038

COURTESY • PROFESSIONALISM • RESPECT

Website: <http://nyc.gov/nypd>

CHARGES AND SPECIFICATIONS

1. Said Police Officer Christine Glaser, while assigned to the 106th Precinct, while on-duty, on or about April 19, 2018, did fail and neglect to voucher three (3) zip lock bags of alleged crack cocaine recovered from an individual known to the Department.

P.G. 218-01 Page 1, Paragraph 3 INVOICING PROPERTY-GENERAL
PROCEDURE

2. Said Police Officer Christine Glaser, while assigned to the 106th Precinct, while on-duty, on or about April 19, 2018, did fail and neglect to process an arrest of an individual for possession of three (3) zip lock bags of alleged crack cocaine recovered from an individual known to the Department.

P.G. 208-01 Page 1, Paragraph 3(a) LAW OF ARREST

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on October 2, 2019. Respondent, through her counsel, entered a plea of Guilty to the subject charges and testified in mitigation of the penalty. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I find that mitigation is warranted on the issue of dismissal probation, and recommend that Respondent be suspended for five (5) days without pay, and forfeit twenty-five (25) vacation days.

SUMMARY OF EVIDENCE IN MITIGATION

As part of a random integrity test on April 19, 2018, two female undercover officers pretended to have an altercation, during which one of the females (hereinafter "the defendant") damaged the cell phone of the other. There also was a male undercover present, who was acting as the boyfriend of the defendant.

At approximately 1631 hours, Respondent and her partner, Officer Waskowitz, responded to the vicinity of [REDACTED] in Queens in order to deal with the situation.

The officers separated the two females, and Officer Waskowitz placed the defendant under arrest for criminal mischief.

Respondent testified that while at the scene, Officer Waskowitz recovered a purse from the defendant, which he handed over to the defendant's boyfriend. Respondent searched the defendant, and recovered from her pants pocket a small black glassine envelope.¹ Even though Respondent recognized the glassine as something that typically contains drugs, she did not look closely enough to realize that there were actually three glassines, nor did she take the time to determine the contents, which was alleged crack cocaine. Instead, without saying anything to her partner, she quickly placed the envelopes inside the defendant's purse, which she allowed the defendant's boyfriend to take with him. (Tr. 16-18, 23)

Respondent readily admitted that she was guilty of failing to voucher the narcotics and failing to have the defendant charged with possession. Respondent explained that her state of mind was off that day [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] When she reported for duty that day she informed her lieutenant of her situation and asked to remain within the stationhouse rather than go out on patrol. The lieutenant agreed, but when the call for this matter came in the lieutenant asked Respondent to do him a favor and handle this one priority call with Officer Waskowitz since there was no one else available. (Tr. 20-22)

Respondent admitted that she made a "very big mistake" in her handling of the glassines. She stated that she was just trying "to get out of there" as quickly as possible because she was in

¹ Respondent believed that that there was only one glassine envelope, but actually there were three.

so much pain. Respondent testified that she thinks about her actions every day, wondering, “What was I thinking? What was I doing?” She candidly acknowledged the possible implications of her actions, that the drugs could have wound up in the hands of minors or caused an overdose. (Tr. 22, 24-25)

PENALTY

In order to determine an appropriate penalty, Respondent’s service record was examined. See Matter of Pell v. Board of Educ., 34 N.Y.2d 222, 240 (1974). Respondent was appointed to police officer on July 9, 2013; prior to that, she was a traffic enforcement agent and a school safety agent. Information from her personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum. Respondent has no disciplinary record. Counsel for Respondent submitted two supervisor feedback forms (Resp. Ex. A and B) that praised Respondent’s performance in two separate incidents in 2019.

The Department Advocate asks that Respondent forfeit thirty (30) vacation days and be placed on one-year dismissal probation. He cites *Disciplinary Case No. 2014-11113* (July 24, 2015), where an 11-year police officer with no disciplinary record negotiated a penalty of ten (10) vacation days for discarding a cigarette box containing alleged crack cocaine and heroin that was handed to him by an undercover during an integrity test, rather than vouchering it. The Advocate argues that the 10-day penalty is a baseline for failing to voucher drugs, but that the situation in the present case is more serious since Respondent gave the drugs to someone else rather than discard them.

Counsel for Respondent counters that a penalty of dismissal probation is excessive under the particular facts of this case. I agree. On the one hand, this tribunal recognizes the

seriousness of Respondent's decision to pass the glassine envelopes to a friend of the defendant, and the inherent dangers associated with such behavior. Respondent, herself, openly acknowledged the potential consequences of her actions.

But rather than view this situation in a vacuum, it is important to take into account Respondent's particular circumstances. Respondent was in great pain at the time of the incident, and that pain clearly clouded her normally sound judgment. This was not a situation where Respondent spent time thinking through how to handle the glassine envelopes before making a calculated decision to place them into the defendant's purse. Rather, this appeared to be an impulsive action by Respondent in an effort to simplify the arrest processing. To be sure, her decision was a dangerously poor one, regardless of the physical pain she was experiencing at the time. But to her credit, Respondent fully accepted responsibility for her misconduct, showed heartfelt remorse, and convincingly demonstrated that she has learned from her actions that day. Indeed, as she testified at this hearing, Respondent appeared to be deeply pained by the way she handled the situation.

When viewed in this context, this tribunal is not persuaded that a period of monitoring is warranted. Having watched and listened carefully to Respondent's testimony in conjunction with the evidence of what transpired, and taking into account Respondent's strong performance evaluations, it appears that Respondent's actions that day were an aberration, an exception to an otherwise strong history with the Department, first as a traffic enforcement agent and a school safety agent, then as a police officer. It is the hope and expectation of this tribunal that Respondent can learn from this experience, and continue to be a productive member of the Department. At the same time, it is important that there be significant accountability for her misconduct, and I agree with the Department Advocate that a penalty considerably higher than

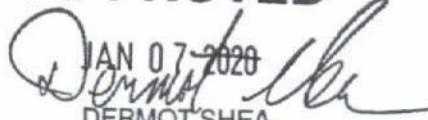
the baseline of ten (10) vacation days is appropriate in light of the public safety concerns of her actions. Taking into account the totality of the facts and circumstances in this matter, I recommend that Respondent be suspended without pay for a period of five (5) days, and that she forfeit twenty-five (25) vacation days.

Respectfully submitted,



Jeff S. Adler
Assistant Deputy Commissioner Trials

APPROVED



JAN 07 2020
DERMOT SHEA
POLICE COMMISSIONER



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER CHRISTINE GLASER
TAX REGISTRY NO. 954870
DISCIPLINARY CASE NO. 2018-19122

Respondent was appointed as a police officer on July 9, 2013. On her last three performance evaluations, she received 4.5 overall ratings of "Extremely Competent/Highly Competent" in 2015 and 2016, and a 3.5 overall rating of "Highly Competent/Competent" in 2014. She has been awarded one medal for Excellent Police Duty.

Respondent has no formal disciplinary history.

For your consideration.

Jeff S. Adler
Assistant Deputy Commissioner Trials